



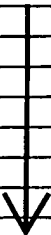
PTO/SB/08A (08-03)

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

|       |   |    |   |                          |                  |
|-------|---|----|---|--------------------------|------------------|
| Sheet | 1 | of | 3 | <b>Complete If Known</b> |                  |
|       |   |    |   | Application Number       | 10/825,961       |
|       |   |    |   | Filing Date              | April 16, 2004   |
|       |   |    |   | First Named Inventor     | MILLER, DAVID R. |
|       |   |    |   | Art Unit                 | 3738             |
|       |   |    |   | Examiner Name            | Unassigned       |
|       |   |    |   | Attorney Docket Number   | 022175-000200US  |

| U.S. PATENT DOCUMENTS+  |                       |  |                             |   |   |
|---|-----------------------|--|-----------------------------|---|---|
| Examiner Initials*  | Cite No. <sup>1</sup> | Document Number                          | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|   |                       | Number Kind Code <sup>2</sup> (if known) |                             |   |   |
| CR  | 1                     | 5,980,504                                | 11-09-1999                  | Sharkey et al.                                  |   |
|  | 2                     | 6,033,438                                | 03-07-2000                  | Bianchi et al.                                  |   |
|   | 3                     | 6,086,589                                | 07-11-2000                  | Kuslich et al.                                  |   |
|   | 4                     | 6,224,630                                | 05-01-2001                  | Bao et al.                                      |   |
|   | 5                     | 6,443,988                                | 09-03-2002                  | Felt et al.                                     |   |
|   | 6                     | 6,558,390                                | 05-06-2003                  | Cragg   |   |
|   | 7                     | 6,685,695                                | 02-03-2004                  | Ferree  |   |
|   | 8                     | 6,736,835                                | 05-18-2004                  | Pellegrino et al.                               |   |
|   | 9                     | 2004/0186471                             | 09-23-2004                  | Trieu   |   |
|   |                       |  |                             |   |   |

| FOREIGN PATENT DOCUMENTS |                          |                           |                     |                                   |                                |   |  |                          |
|--------------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|---|--|--------------------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   |                     |                                   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup>           |
|                          |                          | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |                                |   |  |                          |
|                          |                          |                           |                     |                                   |                                |   |  | <input type="checkbox"/> |
|                          |                          |                           |                     |                                   |                                |   |  | <input type="checkbox"/> |
|                          |                          |                           |                     |                                   |                                |   |  | <input type="checkbox"/> |

Examiner  
Signature

/Cris Rodriguez/

Date  
Considered

08/14/2006

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

60635643 v1

|   |   |    |   |                          |                  |
|---|---|----|---|--------------------------|------------------|
| Substitute for form 1449B/PTO   |   |    |   | <b>Complete If Known</b> |                  |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   |    |   | Application Number       | 10/825,961       |
|   |   |    |   | Filing Date              | April 16, 2004   |
|   |   |    |   | First Named Inventor     | MILLER, DAVID R. |
|   |   |    |   | Art Unit                 | 3738             |
|   |   |    |   | Examiner Name            | Unassigned       |
| Sheet   | 2 | of | 3 | Attorney Docket Number   | 022175-000200US  |

| NON PATENT LITERATURE DOCUMENTS |                       |   |                |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials *             | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
| CR                              | 10.                   | FINCH et al., "Analgesic Discography and Magnetic Resonance Imaging (MRI)" <i>Pain</i> , (1990) Supp 5: S285 [Abstract Only]  |                |
|                                 | 11                    | FRASER, "Chymopapain for the Treatment of Intervertebral Disc Herniation. The Final Report of a Double Blind Study," <i>Spine</i> , (Nov-Dec 1987), 9(8):815-818. [Abstract Only]   |                |
|                                 | 12                    | GEBHARD et al., "Percutaneous Discectomy for the Treatment of Bacterial Discitis," <i>Spine</i> , (1994) 19(7):855-857  |                |
|                                 | 13                    | HADJIPAVLOU et al., "Percutaneous Transpedicular Discectomy and Drainage in Pyogenic Spondylodiscitis," <i>Eur Spine J</i> (2004), 13:707-713   |                |
|                                 | 14                    | HADJIPAVLOU et al., "Percutaneous Transpedicular Discectomy and Drainage in Pyogenic Spondylodiscitis," <i>Am J of Orthopedics</i> , (March 1998), pp. 188-197  |                |
|                                 | 15                    | JEANNERET et al., "Treatment of Osteomyelitis of the Spine Using Percutaneous Suction/Irrigation and Percutaneous External Spinal Fixation," <i>J of Spinal Disorders</i> , 7(3):185-205.   |                |
|                                 | 16                    | KOTILANEN et al, "Intradiscal Glycerol or Bupivacaine in the Treatment of Low Back Pain", <i>Acta Neurochir</i> (Wien), (1997) 139 (6):541-545. [Abstract Only]   |                |
|                                 | 17                    | MAROON et al., "Percutaneous Automated Discectomy: A New Method for Lumbar Disc Removal," <i>J Neurosurg</i> (1987), 66:143-146   |                |
|                                 | 18                    | MINAMIDE et al., "Effects of Basic Fibroblast Growth Factor on Spontaneous Resorption of Herniated Intervertebral Discs. An Experimental Study in the Rabbit," <i>Spine</i> , (May 15, 1999), 24 (10):940-945. [Abstract Only]                                  |                |
|                                 | 19                    | NISHIMURA et al., "Percutaneous Reinsertion of the Nucleus Pulposus. An Experimental Study," <i>Spine</i> , (July 15, 1998), 23(14):1531-1538, discussion 1539.   |                |
|                                 | 20                    | OKUMA et al., "Reinsertion of Stimulated Nucleus Pulposus Cells Retards Intervertebral Disc Degeneration: An In Vitro and In Vivo Experimental Study," <i>J Orthop Res</i> , 2000 November; 18(6):988-997 [Abstract Only]                                       |                |
|                                 | 21                    | OSLER, "Cervical Analgesic Discography. A Test for Diagnosis of the Painful Disc Syndrome," <i>S Afr Med J.</i> , (March 21, 1987), 71(6):363 [Abstract Only]   |                |
|                                 | 22                    | OSTI et al., "Discitis After Discography. The Role of Prophylactic Antibiotics", <i>J Bone Joint Surg Br.</i> (March 1990), 72(2):271-274. [Abstract Only]  |                |
|                                 | 23                    | ROTH, "Cervical Analgesic Discography. A New Test for the definitive Diagnosis of the Painful Disk Syndrome," <i>JAMA</i> , ( April 19, 1976), 235(16):1713-1714. [Abstract Only]   |                |
| ✓                               | 24                    | TAKAHASHI et al., "Experimental Study on Chemonucleolysis. With Special Reference to Change of Intracanal Pressure," <i>Spine</i> , (July-Aug, 1986), 11(6):617-620. [Abstract Only]  |                |

|                    |                  |                 |            |
|--------------------|------------------|-----------------|------------|
| Examiner Signature | /Cris Rodriguez/ | Date Considered | 08/14/2006 |
|--------------------|------------------|-----------------|------------|

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

|  |            |    |   |                          |                  |
|--|------------|----|---|--------------------------|------------------|
| Substitute for form 1449B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |            |    |   | <b>Complete if Known</b> |                  |
|  |            |    |   | Application Number       | 10/825,961       |
|  |            |    |   | Filing Date              | April 16, 2004   |
|  |            |    |   | First Named Inventor     | MILLER, DAVID R. |
|  |            |    |   | Art Unit                 | 3738             |
| Examiner Name  | Unassigned |    |   |                          |                  |
| Sheet  | 3          | of | 3 | Attorney Docket Number   | 022175-000200US  |

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---------------------------------|--------------------------|---|----------------|
| Examiner<br>Initials *          | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
| CR                              | 25                       | WATTERS et al., "Percutaneous Discectomy for Disk Space Infections," <i>J of Southern Orthopaedic Association</i> , (Winter 1994), 3(4): 283-289.   |                |
| ↓                               | 26                       | WILKINSON et al., "Intradiscal Corticosteroid in the Treatment of Lumbar and Cervical Disc Problems," <i>Spine</i> , (Jul-Aug, 1980), 5(4):385-389. [Abstract Only]   |                |
| ↓                               | 27                       | WITTENBERG et al., "Five-Year Results From Chemonucleolysis with Chymopapain or Collagenases: A Prospective Randomized Study," <i>Spine</i> , (September 1, 2001), 26(17):1835-1841 [Abstract Only]   |                |

|                       |                  |                    |            |
|-----------------------|------------------|--------------------|------------|
| Examiner<br>Signature | /Cris Rodriguez/ | Date<br>Considered | 08/14/2006 |
|-----------------------|------------------|--------------------|------------|

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO

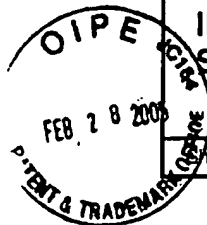
**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

**Complete If Known**

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/825,961       |
| Filing Date            | April 16, 2004   |
| First Named Inventor   | MILLER, DAVID R. |
| Art Unit               | 3738             |
| Examiner Name          | Unassigned       |
| Attorney Docket Number | 022175-000200US  |

**U.S. PATENT DOCUMENTS+**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
|                       |                          | Number Kind Code <sup>2</sup> (if known) |                                |  |   |
| CR                    | 1                        | US-3,482,576                             | 5-9-2003                       | Ericson  |   |
|                       | 2                        | US-3,885,561                             | 5-01-1975                      | Caml   |   |
|                       | 3                        | US-3,952,742                             | 04-27-1976                     | Taylor   |   |
|                       | 4                        | US-4,419,819                             | 12-13-1983                     | Dickhudt   |   |
|                       | 5                        | US-4,715,378                             | 12-29-1987                     | Pope   |   |
|                       | 6                        | US-4,737,146                             | 4-12-1988                      | Amaki et al.                                       |   |
|                       | 7                        | US-4,973,305                             | 11-27-1990                     | Goltzer  |   |
|                       | 8                        | US-5,004,456                             | 4-2-1991                       | Botterbusch et al.                                 |   |
|                       | 9                        | US-5,024,655                             | 6-18-1991                      | Freeman et al.                                     |   |
|                       | 10                       | US-5,024,659                             | 6-18-1991                      | Sjostrom   |   |
|                       | 11                       | US-5,084,016                             | 1-28-1992                      | Freeman et al.                                     |   |
|                       | 12                       | US-5,129,889                             | 07-14-1992                     | Hahn et al.  |   |
|                       | 13                       | US-5,234,406                             | 08-10-1993                     | Drasner et al.                                     |   |
|                       | 14                       | US-5,344,439                             | 09-6-1994                      | Otten  |   |
|                       | 15                       | US-5,354,282                             | 10-11-1994                     | Bierman  |   |
|                       | 16                       | US-5,433,739                             | 06-18-1995                     | Sluijter et al.                                    |   |
|                       | 17                       | US-5,571,147                             | 11-5-1996                      | Sluijter et al.                                    |   |
|                       | 18                       | US-5,591,132                             | 01-7-1997                      | Carrie   |   |
|                       | 19                       | US-5,693,032                             | 12-02-1997                     | Bierman  |   |
|                       | 20                       | US-5,800,402                             | 09-1-1998                      | Bierman  |   |
|                       | 21                       | US-5,800,407                             | 09-1-1998                      | Eldor  |   |
|                       | 22                       | US-5,833,666                             | 11-10-1998                     | Davis  |   |
|                       | 23                       | US-5,833,667                             | 11-10-1998                     | Bierman  |   |
|                       | 24                       | US-5,908,405                             | 06-01-1999                     | Imran  |   |
|                       | 25                       | US-6,054,429                             | 04-25-2000                     | Bowersox et al.                                    |   |
|                       | 26                       | US-6,190,370                             | 02-20-2001                     | Tsul   |   |
|                       | 27                       | US-6,602,248                             | 08-5-2003                      | Sharps et al.                                      |   |
|                       | 28                       | US-6,261,311                             | 07-17-2001                     | Sharkey et al.                                     |   |
|                       | 29                       | US-6,368,315                             | 04-9-2002                      | Gillis, et al.                                     |   |
|                       | 30                       | US-6,387,076                             | 05-4-2002                      | Landuyt  |   |
|                       | 31                       | US-6,547,810                             | 04-15-2003                     | Sharkey et al.                                     |   |
|                       | 32                       | US-6,613,044                             | 09-02-2003                     | Carl   |   |
|                       | 33                       | US-6,648,873                             | 11-18-2003                     | Arenberg   |   |
|                       | 34                       | US-6,554,802                             | 4-29-2003                      | Pearson et al.                                     |   |
|                       | 35                       | US-6,673,063                             | 01-08-2004                     | Brett  |   |
|                       | 36                       | US-6,676,643                             | 01-13-2004                     | Brushey  |   |
|                       | 37                       | US-6,733,496                             | 05-11-2004                     | Sharkey et al.                                     |   |
|                       | 38                       | US-2002/0120259                          | 08-29-2002                     | Lettice et al.                                     |   |
|                       | 39                       | US-2002/0151885                          | 10-17-2002                     | Underwood et al.                                   |   |
|                       | 40                       | US-2003/0055454                          | 03-20-2003                     | Zucker   |   |
|                       | 41                       | US-2003/0171744                          | 09-11-2003                     | Leung et al.                                       |   |

Examiner  
Signature

/Cris Rodriguez/

Date  
Considered

08/14/2006

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

60429553 v1

|   |             |                          |                  |
|---|-------------|--------------------------|------------------|
| Substitute for form 1449A/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(use as many sheets as necessary)</i> |             | <b>Complete if Known</b> |                  |
|   |             | Application Number       | 10/825,961       |
|   |             | Filing Date              | April 16, 2004   |
|   |             | First Named Inventor     | MILLER, DAVID R. |
|   |             | Art Unit                 | 3738             |
| Examiner Name   | Unassigned  |                          |                  |
| Sheet <b>2</b>  | of <b>3</b> | Attorney Docket Number   | 022175-000200US  |

| U.S. PATENT DOCUMENTS+ |                          |  |                                |  |   |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials*  | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                        |                          | Number Kind Code <sup>2</sup> (if known) |                                |  |   |
| CR                     | 42                       | US-2004/0024399                          | 02-05-2004                     | Sharps et al.                                      |   |
| CR                     | 43                       | US-2004/0116977                          | 06-17-2004                     | Finch et al.                                       |   |

| FOREIGN PATENT DOCUMENTS |                       |                           |                     |                                   |                             |   |   |                          |
|--------------------------|-----------------------|---------------------------|---------------------|-----------------------------------|-----------------------------|---|---|--------------------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document   |                     |                                   | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup>           |
|                          |                       | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |                             |   |   |                          |
| CR                       | 44                    | EP                        | 0931560             | A1                                | 07-28-1999                  | Batchelor et al.                                |   | <input type="checkbox"/> |
| ↓                        | 45                    | WO                        | 99/64869            | A2                                | 12-16-1999                  | Baldwin et al.                                  |   | <input type="checkbox"/> |
|                          | 46                    | WO                        | 03/024506           | A2                                | 03-27-2003                  | Hovda   |   | <input type="checkbox"/> |
|                          | 47                    | WO                        | 03/049669           | A2                                | 06-19-2003                  | Pitaru  |   | <input type="checkbox"/> |
|                          |                       |                           |                     |                                   |                             |   |   | <input type="checkbox"/> |
|                          |                       |                           |                     |                                   |                             |   |   | <input type="checkbox"/> |
|                          |                       |                           |                     |                                   |                             |   |   | <input type="checkbox"/> |
|                          |                       |                           |                     |                                   |                             |   |   | <input type="checkbox"/> |
|                          |                       |                           |                     |                                   |                             |   |   | <input type="checkbox"/> |

|                       |                  |                    |            |
|-----------------------|------------------|--------------------|------------|
| Examiner<br>Signature | /Cris Rodriguez/ | Date<br>Considered | 08/14/2006 |
|-----------------------|------------------|--------------------|------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

|   |   |                          |                  |                        |                 |
|---|---|--------------------------|------------------|------------------------|-----------------|
| Substitute for form 1449B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(use as many sheets as necessary)</i> |   | <b>Complete If Known</b> |                  |                        |                 |
|   |   | Application Number       | 10/825,961       |                        |                 |
|   |   | Filing Date              | April 16, 2004   |                        |                 |
|   |   | First Named Inventor     | MILLER, DAVID R. |                        |                 |
|   |   | Art Unit                 | 3738             |                        |                 |
|   |   | Examiner Name            | Unassigned       |                        |                 |
| Sheet   | 3 | of                       | 3                | Attorney Docket Number | 022175-000200US |

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---------------------------------|--------------------------|---|----------------|
| Examiner<br>Initials *          | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
| CR                              | 48                       | Bogduk et al. <u>Spine care</u> : Discography Chapter 14, pp. 219-238, 2 v. :ill. St. Louis : Mosby, c1995.; 29 cm.   |                |
|                                 | 49                       | Caragee EJ, Provocative discography in patients after limited lumbar discetomy: A controlled, randomized study of pain response in symptomatic and asymptomatic subjects. Spine 2000; 25:3065-71  |                |
|                                 | 50                       | Caragee, EJ. Is Lumbar Disography a Determinate of Discogenic Low Back Pain: Provocative Discography Reconsidered Corr. Rev. Pain 2000: 4(4):301-8  |                |
|                                 | 51                       | Colhoun, E. et al. Prococative discography as a guide to planning operations on the spine. J Bone Joint Surg Br 1988; 70:267-71   |                |
|                                 | 52                       | Gill, K et al. Functional results after anterior lumbar fusion at L5/S1 in patients with normal and abnormal MRI scans. Spine 1992:17:940-2   |                |
| ↓                               | 53                       | Wetzel, FT et al. The treatment of lumbar spinal pain syndromes diagnosed by discography. Lumbar arthrodesis. Spine 1994:19:792-800   |                |

|                       |                  |                    |            |
|-----------------------|------------------|--------------------|------------|
| Examiner<br>Signature | /Cris Rodriguez/ | Date<br>Considered | 08/14/2006 |
|-----------------------|------------------|--------------------|------------|

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

|   |                        |    |   |                          |                  |
|---|------------------------|----|---|--------------------------|------------------|
| Substitute for form 1449A&B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |                        |    |   | <b>Complete if Known</b> |                  |
|   |                        |    |   | Application Number       | 10/825,961       |
|   |                        |    |   | Filing Date              | April 16, 2004   |
|   |                        |    |   | First Named Inventor     | MILLER, DAVID R. |
|   |                        |    |   | Art Unit                 | 3763             |
| Examiner Name   | RODRIGUEZ, CRIS LOIREN |    |   |                          |                  |
| Attorney Docket Number  | 022175-000200US        |    |   |                          |                  |
| Sheet   | 1                      | of | 1 |                          |                  |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                          | Number Kind Code <sup>2</sup> (if known) |                                |  |   |
| CR                    | 1                        | 6,258,086 B1                             | 07-10-2001                     | Ashley et al.                                      |   |
|                       |                          |  |                                |  |   |
|                       |                          |  |                                |  |   |
|                       |                          |  |                                |  |   |

| FOREIGN PATENT DOCUMENTS |                          |                           |                     |                                   |                                |  |   |                          |
|--------------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|--|---|--------------------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   |                     |                                   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>4</sup>           |
|                          |                          | Country Code <sup>3</sup> | Number <sup>3</sup> | Kind Code <sup>3</sup> (if known) |                                |  |   |                          |
|                          |                          |                           |                     |                                   |                                |  |   | <input type="checkbox"/> |
|                          |                          |                           |                     |                                   |                                |  |   | <input type="checkbox"/> |

| NON PATENT LITERATURE DOCUMENTS |                          |   |                          |
|---------------------------------|--------------------------|---|--------------------------|
| Examiner<br>Initials *          | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup>           |
|                                 |                          |   | <input type="checkbox"/> |

|                       |                  |                    |            |
|-----------------------|------------------|--------------------|------------|
| Examiner<br>Signature | /Cris Rodriguez/ | Date<br>Considered | 08/14/2006 |
|-----------------------|------------------|--------------------|------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.